



FILED  
U.S. DISTRICT COURT  
DISTRICT OF MARYLAND  
101 W. LOEBARD STREET  
BALTIMORE, MARYLAND 21201

CLERK'S OFFICE  
AT BALTIMORE

BY \_\_\_\_\_ DEPUTY

Chambers of  
Hon. Marvin J. Garbis  
United States District Judge  
410-962-7700

July 17,

TO ALL COUNSEL OF RECORD

Re: Point Blank v. Price, MJG-01-3256

Dear Sir/Madam:

I wish to proceed toward the entry of judgment in this case and find that there are several matters, including whatever counsel present in post trial motions that must be addressed. I will, therefore, provide a deadline for the filing of post trial motions and for memoranda addressing the issues raised herein.

I intend to award prejudgment interest with regard to the basic awards - not any multiples thereof. Under Maryland law the prejudgment interest rate is 6% simple. Any party disagreeing should address this point.

The basic amounts awarded appear to be in line with the parties' agreement. Any party not agreeing to those amounts must address the matter.

It appears that the Defendants would be awarded all assessable costs and may be awarded some legal fees.

As to additional awards under the wage law, it is for the Court, and not the jury, to decide whether to make a legal fee award and how much. The parties must address whether I should award legal fees with regard to the salary, stock and warrant recoveries and the amount to be awarded. In particular, the Individuals must present evidence and their positions with regard to the amount of fee fairly allocable to the salary issue should I decide that an award of fees should be made with regard to that issue but not the others. I suggest that the parties consider

c/m 7/17/03

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agreement to the referral of fee amount determinations for binding arbitration before a practicing attorney mutually selected.

If, as seems inevitable, there will be post trial motions for JMOL etc., these must be filed together with whatever else the parties may wish to file.

Inasmuch as I will be delaying the entry of Judgment until after I hear from counsel, each side shall file its response to this letter plus any post trial motions by August 4<sup>1</sup>, with responses due August 15 and replies due August 24.

Although informal, this letter constitutes an Order of this Court.

Yours truly,

A handwritten signature in dark ink, appearing to read "Marvin J. Garbis", is written over the typed name.

Marvin J. Garbis

United States District Judge

CC: Clerk of Court

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All dates referred to herein are in the year 2003